

JOURNAL OF THE SENATE

NINETIETH SESSION

TENTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Tuesday, January 27, 2015

The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, J. P. Mosley, Jr., followed by the Pledge of Allegiance led by Senate page Catia Bok.

Roll Call: All members present.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the ninth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Corey Brown, Chair

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 28 and finds the same correctly enrolled.

Respectfully submitted,
Corey Brown, Chair

Also MR. PRESIDENT:

The Committee on Education respectfully reports that it has had under consideration SB 33 and returns the same with the recommendation that said bill do pass.

Also MR. PRESIDENT:

The Committee on Education respectfully reports that it has had under consideration SB 43 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Respectfully submitted,
Deb Soholt, Chair

Also MR. PRESIDENT:

The Committee on Judiciary respectfully reports that it has had under consideration SB 48 and returns the same with the recommendation that said bill do pass.

Also MR. PRESIDENT:

The Committee on Judiciary respectfully reports that it has had under consideration SB 38 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Respectfully submitted,
Craig Tieszen, Chair

1 Also MR. PRESIDENT:

2 The Committee on Agriculture and Natural Resources respectfully reports that it has had
3 under consideration SB 45 and returns the same with the recommendation that said bill be
4 amended as follows:

5 45fc

6 On page 2, line 21, of the printed bill, after "produced" overstrike "or".

7 On page 3, line 1, before "the milk" insert "and".

8 On page 3, line 2, delete "secured or".

9 And that as so amended said bill do pass.

10 Also MR. PRESIDENT:

11 The Committee on Agriculture and Natural Resources respectfully reports that it has had
12 under consideration the nomination of Catherine M. Peterson of McCook County, Salem, South
13 Dakota, to the Game, Fish and Parks Commission and returns the same with the
14 recommendation that the Senate advise and consent to the confirmation of said reappointment,
15 and be placed on the consent calendar.

16 Also MR. PRESIDENT:

17 The Committee on Agriculture and Natural Resources respectfully reports that it has had
18 under consideration the nomination of Barry Jensen of Mellette County, White River, South
19 Dakota, to the Game, Fish and Parks Commission and returns the same with the
20 recommendation that the Senate advise and consent to the confirmation of said reappointment,
21 and be placed on the consent calendar.

22 Respectfully submitted,
23 Gary Cammack, Chair

24 **MESSAGES FROM THE HOUSE**

25 MR. PRESIDENT:

26 I have the honor to return herewith SB 28 which has passed the House without change.

1 Also MR. PRESIDENT:

2 I have the honor to transmit herewith HB 1012, 1013, 1018, 1020, 1021, 1022, 1033, 1034,
3 1037, 1038, 1042, 1049, 1051, 1060, 1061, 1062, and 1063 which have passed the House and
4 your favorable consideration is respectfully requested.

5 Also MR. PRESIDENT:

6 I have the honor to transmit herewith HCR 1001 and 1002 which have been adopted by the
7 House and your concurrence is respectfully requested.

8 Respectfully,
9 Arlene Kvislen, Chief Clerk

10 **MOTIONS AND RESOLUTIONS**

11 SCR 1: A CONCURRENT RESOLUTION, Commending the improvements to health care
12 in South Dakota achieved by the system of care established by the community-based Mission:
13 Lifeline initiative.

14 Was read the second time.

15 Sen. Rave moved that SCR 1 as found on page 167 of the Senate Journal be adopted.

16 The question being on Sen. Rave's motion that SCR 1 be adopted.

17 And the roll being called:

18 Yeas 34, Nays 0, Excused 1, Absent 0

19 Yeas:

20 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Frerichs; Greenfield (Brock);
21 Haggar (Jenna); Haverly; Heineman (Phyllis); Holien; Hunhoff (Bernie); Jensen (Phil);
22 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
23 (Jim); Rempelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
24 Vehle; White

25 Excused:

26 Heinert

27 So the motion having received an affirmative vote of a majority of the members-elect, the
28 President declared the motion carried and SCR 1 was adopted.

1 Yesterday, Sen. Novstrup announced his intention to reconsider the vote by which SB 11
2 lost.

3 No member moved to reconsider the vote by which SB 11 lost.

4 HCR 1001: A CONCURRENT RESOLUTION, Recognizing the difference between the
5 taxes and fees levied by the State of South Dakota.

6 Was read the first time, the President waived the referral to committee, and placed
7 HCR 1001 on the calendar of Wednesday, January 28, the 11th legislative day.

8 HCR 1002: A CONCURRENT RESOLUTION, Supporting the continued operation of the
9 D.C. Booth Historic National Fish Hatchery.

10 Was read the first time, the President waived the referral to committee, and placed
11 HCR 1002 on the calendar of Wednesday, January 28, the 11th legislative day.

12 SCR 2 Introduced by: Senator Rave and Representatives Hunt and Rounds

13 A CONCURRENT RESOLUTION, endorsing the thirty-first anniversary of sister state
14 relations with the Republic of China (Taiwan), Taiwan's inclusion in the Trans-Pacific
15 Partnership (TPP) and Taiwan's participation as an observer in the International Civil
16 Aviation Organization (ICAO).

17 WHEREAS, on December 7, 1984, the State of South Dakota and the Republic of China
18 (Taiwan) entered into a sister state relationship of enduring friendship and international
19 cooperation; and

20 WHEREAS, Taiwan shares with South Dakota the common values of freedom, democracy,
21 human rights, and rule of law; and

22 WHEREAS, over the past thirty-one years, the bonds of true friendship and steadfast trade
23 partnership between South Dakota and Taiwan have been strengthened, resulting in a strong
24 economic, social, cultural exchange, and tourism; and

25 WHEREAS, every other year, Taiwan has sent an agricultural trade goodwill mission to the
26 U.S. Midwest region including South Dakota to demonstrate Taiwan's continuing goodwill and
27 willingness to purchase South Dakota agricultural products and the South Dakota agricultural
28 industry has benefitted greatly over the past two decades from the sale of beef, wheat, and corn
29 to Taiwan; and

30 WHEREAS, the commercial interaction between South Dakota and Taiwan has grown
31 substantially with each passing year, resulting in increased economic growth for both Taiwan
32 and South Dakota; and

1 WHEREAS, the United States ranks as Taiwan's third largest trading partner; Taiwan is the
2 tenth largest trading partner of the United States; and bilateral trade has reached sixty-three
3 billion six hundred million US dollars; and

4 WHEREAS, the Trade and Investment Framework Agreement (TIFA) meeting between the
5 United States and Taiwan is laying the groundwork for a possible Bilateral Investment
6 Agreement (BIA); negotiation for a BIA is an important step toward further strengthening
7 bilateral trade and paving the way for entering into a Free Trade Agreement between the United
8 States and Taiwan, thereby increasing the exports of South Dakota to Taiwan and creating
9 bilateral investment through tariff reduction and other trade facilitation measures; and

10 WHEREAS, Taiwan, seeking to contribute to greater regional integration in the Asia-Pacific
11 region and promotion of bilateral investment and trade relations with the United States,
12 applauds the United States announcement of its intent not only to join the Trans-Pacific
13 Partnership (TPP), the proposed twenty-first century trade agreement between the U.S. and
14 eleven other Asia-Pacific Rim countries, but to expand TPP membership in the future to include
15 other countries, such as the Republic of China (Taiwan); and

16 WHEREAS, Taiwan's inclusion in the TPP would contribute substantially to the depth,
17 viability, and quality of the TPP, Taiwan's strong economic weight in the Asia-Pacific and the
18 world, its well-developed knowledge base and highly-skilled workforce, its vital position along
19 regional supply chains and value chains, and the positive economic and strategic gains for all
20 make Taiwan an ideal candidate economy for the TPP's expansion; and

21 WHEREAS, the development of international civil aviation in a safe and orderly manner
22 is the supreme cause of the International Civil Aviation Organization (ICAO); the international
23 civil aviation depends to a great extent on multilateral cooperation to achieve the goals of safety
24 order and sustainable development; and

25 WHEREAS, Taiwan is an integral part of the global aviation network; with an excellent
26 geographic location, Taiwan is a key aviation hub for regions in Asia and the world; and

27 WHEREAS, Taiwan Taoyuan International Airport is ranked sixteenth globally in
28 international passenger traffic by the Airports Council International (ACI), and fifty-eight
29 domestic and foreign airlines connect Taiwan with one hundred seventeen cities across the
30 world; and

31 WHEREAS, the Taipei Flight Information Region (FIR) each year provides more than one
32 million three hundred thousand navigation services to aircraft carrying forty-five million
33 passengers and over one million six hundred eighty thousand tons of cargo. The large volume
34 of cargo and passenger traffic make Taiwan an important part of the global air transport
35 network; and

36 WHEREAS, without Taiwan's participation, international flight plans, regulations, and
37 procedure that the ICAO formulates will be incomplete and unsafe; and

1 WHEREAS, Taiwan's request to participate in the ICAO is fully in line with the United
2 States government's policy of supporting Taiwan's meaningful participation in United Nations
3 specialized agencies:

4 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Ninetieth Legislature of the
5 State of South Dakota, the House of Representatives concurring therein:

6 (1) That the South Dakota Legislature is celebrating the thirty-first anniversary of sister
7 state relations with the Republic of China (Taiwan); and

8 (2) That the South Dakota Legislature supports Taiwan's efforts to entry into the
9 Trans-Pacific Partnership (TPP) and endorses the signing of the Bilateral Investment
10 Agreement (BIA) with the United States; and

11 (3) That the South Dakota Legislature endorses Taiwan's participation in the
12 International Civil Aviation Organization (ICAO) as an observer; and

13 BE IT FURTHER RESOLVED, that copies of this resolution are sent to the United States
14 Secretary of State John F. Kerry, President Ma Ying-jeou of the Republic of China (Taiwan),
15 Secretary General Raymond Benjamin of the International Civil Aviation Organization, each
16 member of the South Dakota Congressional Delegation, and Director General Jack J.C. Yang
17 of the Taipei Economic and Cultural Office.

18 Was read the first time, the President waived the referral to committee, and placed SCR 2
19 on the calendar of Wednesday, January 28, the 11th legislative day.

20 SCR 3 Introduced by: Senators Jensen (Phil), Greenfield (Brock), Haggard (Jenna), Holien,
21 Lederman, Monroe, Novstrup (David), Olson, Omdahl, Rampelberg, Solano, and Van Gerpen
22 and Representatives Craig, Brunner, Campbell, DiSanto, Haugaard, Hickey, Hunt, Klumb,
23 Latterell, Marty, May, Russell, Stalzer, Wiik, and Zikmund

24 A CONCURRENT RESOLUTION, Recognizing the mutual benefit between health care
25 sharing and health savings accounts.

26 WHEREAS, health care cost support is an essential element of economic security for
27 American families and individuals and families and individuals require more health care cost
28 support choices, not fewer; and

29 WHEREAS, health care sharing ministries (HCSM) provide health care cost sharing
30 arrangements among persons of similar and sincerely held religious beliefs and are administered
31 by not-for-profit religious organizations; and

32 WHEREAS, Congress recognized the legitimacy of HCSMs in 2010, after granting
33 participants in these ministries one of the nine exemptions from the individual mandate in the
34 Affordable Care Act; and

1 WHEREAS, participation in a HCSM typically costs forty to sixty-five percent less than
2 conventional health insurance; and

3 WHEREAS, for income earned in 2011, approximately seventy-two percent of HCSM
4 participants were at or below four hundred percent of the federal poverty level (FPL), including
5 approximately forty-four percent of HCSM participants were at or below two hundred percent
6 of FPL; and

7 WHEREAS, when health savings accounts (HSA) were established as part of the Medicare
8 Modernization Act in December 2003, citizens opening a HSA were required to also purchase
9 a high deductible health insurance plan; and

10 WHEREAS, according to America's Health Insurance Plans (AHIP) Center for Policy and
11 Research, as of January 2013, 15.5 million people in America have made HSAs their choice for
12 health care cost support; and

13 WHEREAS, according to the same report, the states with the highest HSA enrollment is
14 Illinois, Texas, California, Ohio, and Michigan; and

15 WHEREAS, according to the same report, children under the age of nineteen comprise the
16 largest group of lives covered by a HSA; and

17 WHEREAS, another AHIP report shows that eighty-three percent of HSA owners have
18 incomes that put them in the middle income class or lower; and

19 WHEREAS, according to the Society of Human Resource Management, forty-three percent
20 of employers offered HSAs in 2012:

21 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Ninetieth Legislature of the
22 State of South Dakota, the House of Representatives concurring therein, that the South Dakota
23 Legislature recognizes the mutual benefit that would be created if citizens who opened a health
24 savings account would have the ability to choose between participation in a health care sharing
25 ministry or the purchase of a high deductible health insurance plan; and

26 BE IT FURTHER RESOLVED, that the South Dakota Legislature encourages Congress to
27 support federal legislation as necessary to create this additional health care cost support choice.

28 Was read the first time, the President waived the referral to committee, and placed SCR 3
29 on the calendar of Wednesday, January 28, the 11th legislative day.

30 Sen. Rave moved that SB 63, 67, 66, and 39 be placed to follow SB 9 on today's calendar.

31 Which motion prevailed.

1 **CONSIDERATION OF REPORT OF COMMITTEE**

2 Sen. Rave moved that the report of the Standing Committee on
3 State Affairs on SB 8 as found on page 164 of the Senate Journal be adopted.
4 Which motion prevailed.

5 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

6 SB 93 Introduced by: Senators Solano, Ewing, Hunhoff (Bernie), Lederman, and Peterson
7 (Jim) and Representatives Dryden, Feickert, Kirschman, Romkema, and Willadsen

8 FOR AN ACT ENTITLED, An Act to impose a gross receipts tax on the rental of certain
9 motorcycles in lieu of the excise tax on motor vehicles.

10 Was read the first time and referred to the Committee on Taxation.

11 SB 94 Introduced by: Senators Haverly, Ewing, Hunhoff (Bernie), Lederman, and Peterson
12 (Jim) and Representatives Werner, Feickert, Kirschman, Romkema, Westra, and Willadsen

13 FOR AN ACT ENTITLED, An Act to establish a license fee for electric-powered
14 motorcycles.

15 Was read the first time and referred to the Committee on Transportation.

16 SB 95 Introduced by: Senators Holien, Brown, Haggar (Jenna), Jensen (Phil), Monroe,
17 Novstrup (David), Omdahl, Rampelberg, and Rusch and Representatives Craig, Campbell,
18 Greenfield (Lana), Hickey, Qualm, Rasmussen, Stalzer, and Zikmund

19 FOR AN ACT ENTITLED, An Act to revise provisions related to human trafficking.

20 Was read the first time and referred to the Committee on Judiciary.

21 SB 96 Introduced by: Senators Holien, Brown, Haggar (Jenna), Jensen (Phil), Monroe,
22 Novstrup (David), Omdahl, Rampelberg, and Rusch and Representatives Craig, Campbell,
23 Greenfield (Lana), Hickey, Otten (Herman), Qualm, Rasmussen, Stalzer, and Zikmund

24 FOR AN ACT ENTITLED, An Act to revise provisions related to prostitution and
25 solicitation of a minor.

26 Was read the first time and referred to the Committee on Judiciary.

1 SB 97 Introduced by: Senator Tieszen and Representatives Sly, Gosch, and Soli

2 FOR AN ACT ENTITLED, An Act to revise the allowable penalties for a person admitted
3 to drug court.

4 Was read the first time and referred to the Committee on Judiciary.

5 SB 98 Introduced by: Senator Tieszen and Representatives Sly, Gosch, and Soli

6 FOR AN ACT ENTITLED, An Act to revise the provisions related to the financial
7 accountability system.

8 Was read the first time and referred to the Committee on Judiciary.

9 SB 99 Introduced by: Senator Peters and Representative Cronin

10 FOR AN ACT ENTITLED, An Act to revise certain provisions of the Medicaid
11 contingency fund due to federal legislation, to make an appropriation therefor, and to declare
12 an emergency.

13 Was read the first time and referred to the Committee on Appropriations.

14 SB 100 Introduced by: Senators Peters, Curd, Haggar (Jenna), Haverly, Heinert, Holien,
15 Hunhoff (Bernie), Jensen (Phil), Lederman, Novstrup (David), Olson, Parsley, Rave, Solano,
16 Tidemann, Van Gerpen, Vehle, and White and Representatives Haggar (Don), Conzet, Cronin,
17 Deutsch, Dryden, Duvall, Gosch, Harrison, Hawks, Hawley, Jensen (Alex), Johns, Kirschman,
18 Langer, McCleerey, Mickelson, Munsterman, Peterson (Kent), Rounds, Schoenfish, Solum,
19 Stalzer, Verchio, Westra, Wink, and Zikmund

20 FOR AN ACT ENTITLED, An Act to create a leased residential property classification
21 and to establish the school district general fund levy for the property classification.

22 Was read the first time and referred to the Committee on Taxation.

23 SB 101 Introduced by: Senators Peters, Bradford, Buhl O'Donnell, Cammack, Curd,
24 Ewing, Haggar (Jenna), Haverly, Heineman (Phyllis), Heinert, Jensen (Phil), Lederman,
25 Monroe, Novstrup (David), Olson, Omdahl, Otten (Ernie), Parsley, Rampelberg, Solano, Sutton,
26 Tidemann, Van Gerpen, and White and Representatives Sly, Anderson, Bartling, Brunner,
27 Conzet, Cronin, Deutsch, Dryden, Gibson, Gosch, Greenfield (Lana), Haggar (Don), Haugaard,
28 Hawks, Heinemann (Leslie), Hickey, Hunhoff (Jean), Jensen (Alex), Kirschman, Klumb,
29 Langer, Latterell, Novstrup (Al), Peterson (Kent), Qualm, Rasmussen, Rozum, Schaefer,
30 Schoenfish, Schrempp, Soli, Stevens, Tulson, Verchio, Westra, Wiik, Wink, Wollmann, and
31 Zikmund

1 FOR AN ACT ENTITLED, An Act to establish certain provisions regarding cancer
2 treatment medication coverage by insurance companies.

3 Was read the first time and referred to the Committee on Commerce and Energy.

4 SB 102 Introduced by: Senators Frerichs, Lederman, and Olson and Representatives
5 Feickert, Beal, Hickey, Kirschman, Willadsen, and Zikmund

6 FOR AN ACT ENTITLED, An Act to revise certain provisions that dedicate property tax
7 revenue for the financing of tax incremental districts.

8 Was read the first time and referred to the Committee on Taxation.

9 SB 103 Introduced by: Senators Vehle, Bradford, Ewing, Frerichs, Greenfield (Brock),
10 Heinert, Monroe, Olson, Omdahl, Parsley, Peterson (Jim), Rampelberg, Rusch, Tieszen, Van
11 Gerpen, and White and Representatives Tulson, Anderson, Bartling, Beal, Duvall, Feickert,
12 Greenfield (Lana), Haggar (Don), Hawks, Johns, Kaiser, Kirschman, Klumb, Langer, May,
13 McCleerey, Mickelson, Novstrup (Al), Peterson (Kent), Qualm, Rasmussen, Romkema, Rozum,
14 Schaefer, Schoenfish, Schrempp, Sly, Solum, Verchio, Werner, Westra, Wiik, Willadsen,
15 Wollmann, and Zikmund

16 FOR AN ACT ENTITLED, An Act to authorize townships to levy a capital improvement
17 property tax for secondary roads, bridges, and culverts.

18 Was read the first time.

19 SB 104 Introduced by: Senators Otten (Ernie), Brown, Haggar (Jenna), Holien, Lederman,
20 Olson, Peters, Rave, Soholt, Solano, and Tidemann and Representatives Sly, Bolin, Craig,
21 Cronin, Gosch, Haggar (Don), Kaiser, Langer, Mickelson, Novstrup (Al), Otten (Herman),
22 Verchio, Westra, and Wink

23 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding student surveys.

24 Was read the first time and referred to the Committee on Education.

25 SB 105 Introduced by: Senators Olson, Bradford, Brown, Buhl O'Donnell, Cammack,
26 Curd, Ewing, Frerichs, Greenfield (Brock), Haggar (Jenna), Haverly, Heineman (Phyllis),
27 Heinert, Holien, Hunhoff (Bernie), Jensen (Phil), Lederman, Monroe, Novstrup (David), Otten
28 (Ernie), Parsley, Peters, Peterson (Jim), Rampelberg, Rave, Soholt, Solano, Sutton, Tidemann,
29 Vehle, and White and Representatives Gosch, Anderson, Beal, Bolin, Bordeaux, Brunner,
30 Campbell, Craig, Deutsch, Feickert, Gibson, Greenfield (Lana), Haggar (Don), Harrison,
31 Haugaard, Heinemann (Leslie), Hickey, Hunhoff (Jean), Hunt, Johns, Kaiser, Klumb, Latterell,
32 Marty, May, McCleerey, Mickelson, Otten (Herman), Partridge, Peterson (Kent), Rasmussen,

1 Ring, Romkema, Rounds, Rozum, Russell, Schaefer, Schoenfish, Sly, Stalzer, Stevens, Tulson,
2 Verchio, Westra, Wiik, Wink, and Wollmann

3 FOR AN ACT ENTITLED, An Act to provide Legislators access to the state capitol
4 complex tunnel system.

5 Was read the first time and referred to the Committee on Transportation.

6 SB 106 Introduced by: Senator Brown and Representative Dryden

7 FOR AN ACT ENTITLED, An Act to provide funding for the South Dakota technical
8 institutes.

9 Was read the first time and referred to the Committee on Appropriations.

10 SB 107 Introduced by: Senators Tieszen and Jensen (Phil) and Representatives Verchio,
11 Craig, and Sly

12 FOR AN ACT ENTITLED, An Act to increase the period an instructor permit is valid and
13 to revise the requirements to upgrade to an operator's licence or a restricted minor's permit.

14 Was read the first time and referred to the Committee on Transportation.

15 SB 108 Introduced by: Senators Tieszen and Vehle and Representatives Gosch, Sly, and
16 Soli

17 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to aggravated
18 DUI's.

19 Was read the first time and referred to the Committee on Judiciary.

20 SB 109 Introduced by: Senators Tidemann, Bradford, Brown, Peterson (Jim), Rave, Rusch,
21 Tieszen, Van Gerpen, Vehle, and White and Representatives Munsterman, Bartling, Cronin,
22 Dryden, Hawley, Hunhoff (Jean), Mickelson, and Wiik

23 FOR AN ACT ENTITLED, An Act to establish a grant program for adult community
24 residential services designed to reduce the risk of recidivism, to provide a report to the
25 Legislature, and to make an appropriation therefor.

26 Was read the first time and referred to the Committee on Appropriations.

1 SB 110 Introduced by: Senators Parsley, Hunhoff (Bernie), Peterson (Jim), Rave, and
2 Tidemann and Representatives Heinemann (Leslie), Bartling, Dryden, Hawley, Peterson (Kent),
3 Wollmann, and Zikmund

4 FOR AN ACT ENTITLED, An Act to revise the authority granted to the Building
5 Authority and to the Board of Regents to construct an information system building on the
6 campus of Dakota State University in Madison.

7 Was read the first time and referred to the Committee on Appropriations.

8 SB 111 Introduced by: Senators Parsley, Buhl O'Donnell, Haverly, Hunhoff (Bernie),
9 Olson, Omdahl, and Sutton and Representatives Wollmann, Bartling, Bolin, Feickert, Gibson,
10 Johns, McCleerey, Otten (Herman), Rasmussen, Ring, Romkema, Schoenfish, and Schrempp

11 FOR AN ACT ENTITLED, An Act to repeal the provision that invalidates absentee ballots
12 cast by voters who died before the date of the election.

13 Was read the first time and referred to the Committee on Local Government.

14 SB 112 Introduced by: Senators Tieszen, Bradford, Buhl O'Donnell, Curd, Heineman
15 (Phyllis), Heinert, Hunhoff (Bernie), Monroe, Parsley, Rampelberg, Sutton, and Tidemann and
16 Representatives Hickey, Bolin, Feickert, Harrison, Kaiser, and Soli

17 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding voting rights of
18 a person convicted of a felony.

19 Was read the first time and referred to the Committee on State Affairs.

20 SB 113 Introduced by: Senators Brown, Rave, and Sutton and Representatives Gosch and
21 Wink

22 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the fiscal impact
23 statements prepared for legislation that impacts state prison or county jail populations.

24 Was read the first time and referred to the Committee on State Affairs.

25 SB 114 Introduced by: Senators Monroe, Ewing, Greenfield (Brock), Haggar (Jenna),
26 Holien, Lederman, Olson, Omdahl, Van Gerpen, and Vehle and Representatives Bolin,
27 Campbell, Greenfield (Lana), Haggar (Don), Hickey, Kaiser, Latterell, May, Qualm,
28 Schoenfish, Stalzer, and Zikmund

29 FOR AN ACT ENTITLED, An Act to encourage and protect the teaching of certain
30 scientific information.

1 Was read the first time and referred to the Committee on Education.

2 SB 115 Introduced by: Senators Monroe, Haggar (Jenna), Jensen (Phil), and Rampelberg
3 and Representatives Qualm, Kaiser, Schoenfish, and Zikmund

4 FOR AN ACT ENTITLED, An Act to require the state to assume the responsibility for
5 legal expenses of certain persons in the state's custody.

6 Was read the first time and referred to the Committee on Judiciary.

7 SB 116 Introduced by: Senators Monroe, Haggar (Jenna), Jensen (Phil), Rampelberg, and
8 White and Representatives Kaiser, Qualm, and Zikmund

9 FOR AN ACT ENTITLED, An Act to authorize the county coroner to charge a fee for
10 certain autopsy reports.

11 Was read the first time and referred to the Committee on Local Government.

12 SB 117 Introduced by: Senators Jensen (Phil), Greenfield (Brock), Haggar (Jenna), Holien,
13 Monroe, Olson, Omdahl, and Van Gerpen and Representatives Greenfield (Lana), Anderson,
14 Bolin, Brunner, Campbell, Craig, DiSanto, Feickert, Haggar (Don), Heinemann (Leslie),
15 Hickey, Kaiser, Klumb, May, Qualm, Rasmussen, Russell, Stalzer, Verchio, and Zikmund

16 FOR AN ACT ENTITLED, An Act to further protect the privacy of certain student
17 information.

18 Was read the first time and referred to the Committee on Education.

19 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

20 HB 1012: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding child
21 welfare agencies.

22 Was read the first time and referred to the Committee on Health and Human Services.

23 HB 1013: FOR AN ACT ENTITLED, An Act to revise certain provisions related to social
24 work licensure.

25 Was read the first time and referred to the Committee on Health and Human Services.

1 HB 1018: FOR AN ACT ENTITLED, An Act to revise the sales and use tax exemptions
2 for farm machinery.

3 Was read the first time and referred to the Committee on Taxation.

4 HB 1020: FOR AN ACT ENTITLED, An Act to revise the mailing fees for
5 noncommercial vehicle plates and decals.

6 Was read the first time and referred to the Committee on Transportation.

7 HB 1021: FOR AN ACT ENTITLED, An Act to repeal the authorization for the South
8 Dakota School of Mines and Technology research center project and to authorize the South
9 Dakota Building Authority to issue bonds to finance a portion of the maintenance and repair of
10 the South Dakota School of Mines and Technology chemistry/chemical engineering renovation
11 project.

12 Was read the first time and referred to the Committee on Appropriations.

13 HB 1022: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to
14 purchase improved property in Spearfish and to make an appropriation therefor.

15 Was read the first time and referred to the Committee on Appropriations.

16 HB 1033: FOR AN ACT ENTITLED, An Act to repeal the South Dakota Energy
17 Infrastructure Authority.

18 Was read the first time and referred to the Committee on Commerce and Energy.

19 HB 1034: FOR AN ACT ENTITLED, An Act to repeal certain outdated and unnecessary
20 statutes related to the Wind Energy Competitive Advisory Task Force.

21 Was read the first time and referred to the Committee on Commerce and Energy.

22 HB 1037: FOR AN ACT ENTITLED, An Act to revise certain provisions related to the
23 regulation of public utilities.

24 Was read the first time and referred to the Committee on Commerce and Energy.

25 HB 1038: FOR AN ACT ENTITLED, An Act to revise certain provisions related to the
26 siting of energy facilities.

1 Was read the first time and referred to the Committee on Commerce and Energy.

2 HB 1042: FOR AN ACT ENTITLED, An Act to authorize the Department of Public Safety
3 to construct offices in Butte County and Roberts County, to make an appropriation therefor, and
4 to declare an emergency.

5 Was read the first time and referred to the Committee on Appropriations.

6 HB 1049: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding
7 reversions of appropriations for a repealed tax refund program.

8 Was read the first time and referred to the Committee on Appropriations.

9 HB 1051: FOR AN ACT ENTITLED, An Act to revise various trust and trust company
10 provisions.

11 Was read the first time and referred to the Committee on State Affairs.

12 HB 1060: FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse
13 certain family physicians, dentists, physician assistants, and nurse practitioners who have
14 complied with the requirements of the recruitment assistance program and to declare an
15 emergency.

16 Was read the first time and referred to the Committee on Appropriations.

17 HB 1061: FOR AN ACT ENTITLED, An Act to repeal an outdated and obsolete provision
18 related to transferring cases from inferior courts to circuit courts.

19 Was read the first time and referred to the Committee on Judiciary.

20 HB 1062: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to jury
21 selection.

22 Was read the first time and referred to the Committee on Judiciary.

23 HB 1063: FOR AN ACT ENTITLED, An Act to revise the notice provisions for the name
24 change of a minor child.

25 Was read the first time and referred to the Committee on Judiciary.

SECOND READING OF CONSENT CALENDAR ITEMS

SB 10: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the classes of investments used for state funds.

Was read the second time.

The question being "Shall SB 10 pass?"

And the roll being called:

Yeas 35, Nays 0, Excused 0, Absent 0

Yeas:

Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Frerichs; Greenfield (Brock); Haggard (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil); Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim); Rempelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; White

So the bill having received an affirmative vote of a majority of the members-elect, the President declared the bill passed and the title was agreed to.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 60: FOR AN ACT ENTITLED, An Act to provide newborn screening of inherited and genetic disorders.

Was read the second time.

60jb

Sen. Tieszen moved that SB 60 be amended as follows:

On page 2, line 12, of the printed bill, overstrike ", prevention,".

Which motion prevailed.

The question being "Shall SB 60 pass as amended?"

And the roll being called:

Yeas 31, Nays 4, Excused 0, Absent 0

1 Yeas:

2 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Frerichs; Haverly; Heineman
3 (Phyllis); Heinert; Holien; Hunhoff (Bernie); Lederman; Monroe; Novstrup (David); Olson;
4 Otten (Ernie); Parsley; Peters; Peterson (Jim); Rampelberg; Rave; Rusch; Soholt; Solano;
5 Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; White

6 Nays:

7 Greenfield (Brock); Hagggar (Jenna); Jensen (Phil); Omdahl

8 So the bill having received an affirmative vote of a majority of the members-elect, the
9 President declared the bill passed and the title was agreed to.

10 SB 21: FOR AN ACT ENTITLED, An Act to revise the income guidelines for the
11 paraplegic property tax relief program.

12 Was read the second time.

13 The question being "Shall SB 21 pass?"

14 And the roll being called:

15 Yeas 35, Nays 0, Excused 0, Absent 0

16 Yeas:

17 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Frerichs; Greenfield (Brock);
18 Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
19 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
20 (Jim); Rampelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
21 Vehle; White

22 So the bill having received an affirmative vote of a majority of the members-elect, the
23 President declared the bill passed and the title was agreed to.

24 SB 9: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
25 transfer of funds administered by the state investment officer.

26 Was read the second time.

27 The question being "Shall SB 9 pass?"

28 And the roll being called:

29 Yeas 35, Nays 0, Excused 0, Absent 0

1 Yeas:

2 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Frerichs; Greenfield (Brock);
3 Haggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil);
4 Lederman; Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson
5 (Jim); Rempelberg; Rave; Rusch; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;
6 Vehle; White

7 So the bill having received an affirmative vote of a majority of the members-elect, the
8 President declared the bill passed and the title was agreed to.

9 Sen. Rave moved that SB 63, 67, 66, and 39 be deferred to Wednesday, January 28, the
10 11th legislative day.

11 Which motion prevailed.

12 **SIGNING OF BILLS**

13 The President publicly read the title to

14 SB 28: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to sell
15 certain extraneous real property to the City of Brookings, to deposit the proceeds in the school
16 and public lands trust for the benefit of South Dakota State University, and to declare an
17 emergency.

18 And signed the same in the presence of the Senate.

19 **COMMEMORATIONS**

20 SC 4 Introduced by: Senator Sutton and Representatives Bartling and Qualm

21 A LEGISLATIVE COMMEMORATION, Honoring Rebecca Brunsing of Wagner as the
22 Municipal Finance Officer of the Year.

23 WHEREAS, for more than thirteen years Rebecca Brunsing has been essential in serving
24 the City of Wagner to operate efficiently and honestly throughout; and

25 WHEREAS, Rebecca Brunsing daily shows her concern for her municipality, its citizens,
26 and employees with dedication, professionalism, and patience; and

27 WHEREAS, Rebecca Brunsing has delivered helpful, knowledgeable assistance to citizens
28 and elected officials alike; and

1 WHEREAS, Rebecca Brunsing was nominated for this award by the Mayor and municipal
2 council members and by admirers from across the state who are grateful for her dedicated, able
3 service; and

4 WHEREAS, Rebecca Brunsing is a friend and mentor to municipal finance officers
5 throughout the state:

6 NOW, THEREFORE, BE IT COMMEMORATED, by the Ninetieth Legislature of the State
7 of South Dakota, that Rebecca Brunsing be honored as the 2014 Municipal Finance Officer of
8 the Year.

9 Sen. Rusch moved that the Senate do now adjourn, which motion prevailed and at
10 2:52 p. m. the Senate adjourned.

11 Kay Johnson, Secretary